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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,521	10/13/2006	Steffen Laurisch	02316.2168USWO	1625
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EXAMINER				
SMITH, CHAD				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/553,521

Applicant(s)

LAURISCH ET AL.

Examiner

CHAD H. SMITH

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 October 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Arguments

Applicant's arguments, see Remarks page 8, filed on 12/4/07, with respect to the rejection(s) of claim(s) 1 - 10 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Battey et al. (U.S. PG Pub. # 2002/0051616 A1). Furthermore, the allowability of claims 11 and 12 has been withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1 – 6, and 9 - 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Battey et al. (U.S. PG Pub. # 2002/0051616 A1).

In Re claim 1, '616 teaches a fiber coupler module, comprising a cassette mount (28), which is connected to a front panel (42), the cassette mount being assigned a coupler (104), by means of which the signals of at least one incoming fiber are distributed over at least two outgoing fibers, a first group of couplings (48) and a second group of couplings (50), the second group of couplings being arranged on the front panel, fibers from the first group of couplings being passed into the coupler and the outgoing fibers from the coupler being connected to the second group of couplings (fig. 5 and par. 0030), wherein the first group of couplings is arranged on a mounting panel (34), the mounting panel being arranged to pivot on the cassette mount (par. 0022). However, '616 is silent to the optical fiber being composed of glass. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use glass optical fiber due to its common use in industry and would yield predictable results as glass possesses low optical signal attenuation.

In Re claim 2, '616 teaches wherein each incoming patch cable is assigned a coupling in the first group (par. 0030).

In Re claim 3, '616 teaches wherein all of the couplings in the first group are arranged in a row (fig. 1).

In Re claim 4, '616 teaches wherein all of the couplings in the second group are arranged in a row (fig. 2).

In Re claim 5, '616 teaches wherein elements for accommodating a spare working length of glass fibers are arranged beneath the mounting panel (fig 3).

In Re claim 6, '616 teaches wherein at least one direction-changing element is arranged beneath the mounting panel (38).

In Re claim 9, '616 teaches wherein cable ducts are arranged on the sides of the mounting panel (46).

In Re claim 10, '616 teaches wherein the width of the mounting panel with the cable ducts is less than or equal to the width of the cassette mount (fig. 1).

In Re claim 11, '616 teaches wherein a connection part is arranged between the cable ducts (fig. 1, the lip adjacent item 48 to the left running parallel with item 48).

In Re claim 12, '616 teaches wherein the mounting panel to the rear of the cassette mount is provided with V-shaped extensions bent downwards (48 as the orientation of downward is subjective).

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Battey et al. (U.S. PG Pub. # 2002/0051616 A1) in view of Xin et al. (U.S. PG Pub. # 2002/0181922 A1).

In Re claims 7 and 8, '616 teaches the glass fiber coupler module as previously discussed in claim 6, but is silent to wherein the direction-changing element is in the form of an inner limiter and wherein the inner limiter is provided with at least one retainer. '922 teaches an inner limiter (107) that has at least one retainer (the protrusions across the top) (fig. 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the

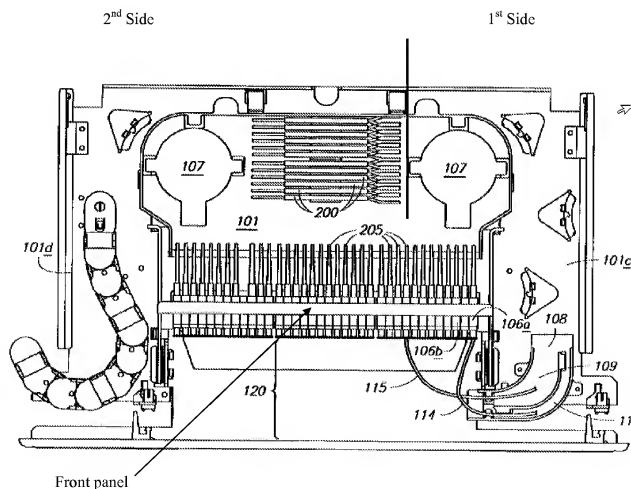
teachings of '616's glass fiber coupler module with '922's teaching of an inner limiter that has at least one retainer as wrapping the fiber around a limiter alleviates the entanglement and loose cluttered cabling of a storage area as seen in figure 3 of '616 that would be vulnerable to damage in storage.

Claims 13 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Xin et al. (U.S. PG Pub. # 2002/0181922 A1).

In Re claim 13, '922 teaches a fiber coupler module comprising: a cassette mount having a first side and an opposite, second side, the first side of the cassette mount defining a storage area configured to receive spare lengths of fibers (107); a mounting panel (103) pivotally coupled to the cassette mount (par. 0019), the mounting panel being configured to pivot from a first position covering the storage area to a second position providing access to the storage area (par. 0034), the mounting panel being configured to support a first plurality of couplings (139), each coupling of the first plurality being configured to receive a plug at each of a first end and a second end (par. 0021 as 139 are the same adapters as 105 and 106); a front panel coupled to the cassette mount (fig. below), the front panel being configured to support a second plurality of couplings (105 and 106), each coupling of the second plurality being configured to receive a plug at each of a first end and a second end (par. 0021); a splitter coupled to the second side of the cassette mount (200), the splitter configured to receive fibers routed from the second end of at least one of the couplings of the first plurality, the splitter also configured to output at least two fibers to the first ends of at least two of the couplings of the second plurality (par. 0021 and par. 0026, figs. 2 and 5). Furthermore, '922 teaches routing the optical fibers as appropriate to fit the

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need of the user (par. 0042). However, '922 is silent to the fiber being composed of glass and a first fiber extending from the second end of one of the couplings of the first plurality, the first fiber being routed to the first end of a first of the couplings of the second plurality; a second fiber extending from the second end of one of the couplings of the first plurality, the second fiber being routed to the splitter; a third fiber extending from the splitter to the first end of a second of the couplings of the second plurality; and a fourth fiber extending from the splitter to the first end of a third of the couplings of the second plurality.



It would have been obvious to one of ordinary skill in the art at the time the invention was made to use glass optical fiber due to its common use in industry and would yield predictable results as glass possesses low optical signal attenuation and furthermore, at the time the invention was made, it would have been an obvious matter of design choice to a person of ordinary skill in the art to route the optical fibers from the first group of couplings to the second group of couplings and the splitter and from the splitter to the second group of couplings as specified above because Applicant has not disclosed that routing the previously mentioned configuration provides an advantage, is used for a particular purpose, or solves a stated problem. Furthermore, one of ordinary skill in the art would have realized at the time the invention was made to split an incoming signal for cost effective purposes in duplication of a signal and furthermore, connecting a fiber from one terminal directly to another terminal straight through efficiently shields the cable from signal degradation. Therefore, it would have been an obvious matter of design choice to modify '922 to obtain the invention as specified in claim 13. *KSR v. Teleflex*, 127 S.Ct. 1727 (2007).

In Re claims 14 and 15, '922 teaches wherein all of the couplings in the first plurality are arranged in a row and wherein all of the couplings in the second plurality are arranged in a row (fig. 2).

In Re claim 16, '922 teaches spools (107).

In Re claim 17, '922 teaches wherein cable ducts are arranged on opposite sides of the mounting panel (109 and 111).

In Re claim 18, '922 teaches wherein the cassette mount is at least as wide as the mounting panel including the cable ducts (fig. 2).

In Re claim 19, '922 teaches wherein the mounting panel is configured to be locked into the first position (par. 0033 and 0034).

In Re claim 20, '922 teaches further comprising V- shaped extensions extending from the mounting panel (fig. 5, the tabs located at either side of 103).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad H. Smith whose telephone number is (571) 270-1294. The examiner can normally be reached on Monday-Thursday 7:30a.m. - 5:00p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on 571-270-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chad H Smith/
Examiner, Art Unit 2874

/Michelle R. Connelly-Cushwa/
Primary Examiner, Art Unit 2874
February 19, 2008